

REMARKS

Applicant replies to the Office Action dated January 7, 2010 within three months. Claims 1, 3, 5, 6 and 9-11 are pending in the application and the Examiner rejects claims 1, 3, 5, 6 and 9-11. Applicant amends certain claims and submits that the claim amendments are supported by the specification, claims and/or drawing figures. Support for the claim amendments may be found throughout the application, but Applicant directs the Examiner to exemplary paragraphs [181] and [199] in the application as filed. Reconsideration of this application is respectfully requested.

The Examiner rejects claims 1, 3, 5, 6, and 9-11 under 35 U.S.C. § 103(a) as being unpatentable over Taylor, U.S. Patent Application No. 5,578,808 ("Taylor"), in view of Russell et al., U.S. Patent Application Pub. No. 2004/0044627 ("Russell"), and further in view of Fisher, U.S. Patent Application Pub. No. 2002/0040438 ("Fisher"). Applicant respectfully disagrees with these rejections, but present amendments to the claims to further clarify the patentable aspects of the claims and to expedite prosecution.

In general, with respect to funding a transaction, Russell discloses that the payer account data specifies whether a single account or a set of accounts may fund the transaction, and a certain percentage of the payment to be made from the various accounts. (Russell, para. 37). To the best of Applicant's understanding, Russell discloses inputting account information during the set-up of a device. The account information is transmitted to a payee in the payer account data stored on the device. (Russell, paras. 37, 41-45).

Applicant asserts that Russell does not disclose or contemplate selecting a funding source. The other cited references do not account for this deficiency. As such, the cited references, alone or in combination, do not disclose or contemplate at least "[a] method for managing a plurality of data sets on a radio frequency (RF) transaction device, the method comprising: adding, to a first database on the RF transaction device, a first data set of a first format and a second data set of a second format, wherein: the first data set is owned by a first data set owner and the second data set is owned by a second data set owner... providing information relating to the first data set and the second data set for selection; receiving a selection of at least one of the first data set and the second data set to complete a transaction request" (emphasis added), as recited in claim 1 and similarly recited in claim 9.

Claims 3, 5, 6, and 10-14 variously depend from independent claim 1, so claims 3, 5, 6, and 10-14 are thus differentiated from the cited references for the same reasons stated above for differentiating claim 1, in addition to their own respective features. Applicant therefore respectfully requests withdrawal of the rejections of claims 3, 5, 6, and 10-14.

In view of the above remarks, Applicant respectfully submits that the pending claims properly set forth that which Applicant regards as his invention and are differentiated from the cited references. Accordingly, Applicant respectfully requests withdrawal of the rejections of all claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814.

Respectfully submitted,

Date: April 7, 2010

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